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OCTOBER 5, 2004

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DEAR SIR:

I WOULD LIKE TO COMMENT ON A POSSIBLE RULEMAKING THAT WOULD STREAMLINE OR ELIMINATE SPILL PREVENTION CONTROL AND COUNTER MEASURE PLANS FOR SMALL ABOVE GROUND STORAGE TANKS. MORE SPECIFICALLY, THE CAPACITY THRESHOLD FOR A SMALL TANK EXEMPTION PROPOSED BY THE SBA CONCERNS ME.

ANY STORAGE FACILITY UNDER 50,000 GALS. IS IN MOST CASES A MOM AND POP FAMILY OWNED AND OPERATED BUSINESS. THERE IS NO THROUGH PUT OR WHOLESALE TO OTHER COMPANIES AND DRIVERS ARE COMPANY BASED AND FAMILY RELATED. WITH THIS IN MIND THERE IS MUCH LESS LIKELIHOOD OF A SPILL CAUSED BY HUMAN ERROR AND THERE IS TIGHTER CONTROL OF PRODUCT MOVEMENT. STORAGE TANKS ARE BETTER CARED FOR BECAUSE WHO WANTS OIL RELEASED ON ONES PROPERTY, IN WHICH MANY CASES THE OWNER RESIDES AT.

WHILE EVERY CASE IS UNIQUE, IF THERE IS TO BE A TIER SYSTEM, I THINK 10,001 GALS. AND ABOVE ISN'T FAIR TO THE SMALL BUSINESS OWNER. THIS CATEGORY COVERS HUGE OPERATORS WITH TANK FARMS BUT ALSO INCLUDES THE VERY SMALL BUSINESS.

PLEASE THINK ABOUT 50,001 GALS. AND ABOVE AS YOUR UPPER THRESHOLD.

SINCERELY,

Thomas Biondi

THOMAS BIONDI
OWNER